



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 7/29/2021
 ORM Number: SAS-2021-00511
 Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE).
 Review Area Location¹: State/Territory: GA City: Attapulgus County/Parish/Borough: Decatur County
 Center Coordinates of Review Area: Latitude 30.7157 Longitude -84.4140

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):			
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District’s list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland 1	0.45	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	This feature was constructed in uplands and is not an impoundment of a jurisdictional water. The area was continuously mined from 1984-2007, during the surface mining operations, prior to reclamation and closure of the surface mine. The only hydrological connection to this wetland is Ditch 2. This ditch was constructed in uplands.
Wetland 2	2.13	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	This feature was constructed in uplands and is not an impoundment of a jurisdictional water. The area was continuously mined from 1984-2007, during the surface mining operations, prior to reclamation and closure of the surface mine. The only hydrological connection to this wetland is Ditch 5. This ditch was constructed in uplands and exists to serve as roadside drainage. Ditch 5 does not connect to any a(1)-a(3) waters.
Wetland 3	1.34	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-	This feature was constructed in uplands and is not an impoundment of a jurisdictional water. The area was continuously mined from 1984-2007, during the surface mining operations, prior to reclamation and closure of the surface mine.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
		jurisdictional water to obtain fill/sand/gravel.	
Wetland 4	1.51	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.
Wetland 5	2.28	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.
Wetland 6	2.31	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
Wetland 7	4	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	This feature was constructed in uplands and is not an impoundment of a jurisdictional water. The area was continuously mined from 1984-2007, during the surface mining operations, prior to reclamation and closure of the surface mine. Two upland dug ditches connect to Wetland 7 (Ditch 6 and 7). However, the ditches are dug within uplands and are not located tributary.
Artificial Pond	20.07	acre(s)	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	This pond was constructed in uplands and is not an impoundment of a jurisdictional water. The pond was continuously mined from 1984-2007, during the surface mining operations, prior to reclamation and closure of the surface mine.
Ditch 1	307	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This ditch is not a relocated tributary and was not constructed in a tributary or an adjacent wetland. This ditch was constructed during past surface mining activities on site.
Ditch 2	612	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the	This ditch is not a relocated tributary and was not constructed in a tributary or an adjacent wetland. This ditch was constructed during past surface mining activities on site.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			conditions of (c)(1).	
Ditch 3	584	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This ditch is not a relocated tributary and was not constructed in a tributary or an adjacent wetland. This ditch was constructed during past surface mining activities on site.
Ditch 4	139	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This ditch is not a relocated tributary and was not constructed in a tributary or an adjacent wetland. This ditch appears to have been constructed in the 1980's for surface mining operations, but currently serves the purpose of roadside drainage for the public access / paved road going into the Landfill.
Ditch 5	2190	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This ditch is not a relocated tributary and was not constructed in a tributary or an adjacent wetland. Ditch 5 was constructed during past surface mining activities on site. This ditch specifically was constructed along the main dirt trail road through the site. It may have been excavated for material to build this road, or to contain runoff.
Ditch 6	1437	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This ditch is not a relocated tributary and was not constructed in a tributary or an adjacent wetland. Ditch 6 was constructed during past surface mining activities on site. This ditch specifically was constructed along the main dirt trail road through the site. It may have been excavated for material to build this road, or to contain runoff.
Ditch 7	687	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an	This ditch is not a relocated tributary and was not constructed in a tributary or an adjacent wetland. Ditch 7 appears to have been constructed during past surface mining activities on site. This ditch specifically was constructed along the main dirt trail road through the site. It



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
		(a)(4) water that do not satisfy the conditions of (c)(1).	may have been excavated for material to build the road, or to contain surface water runoff.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- Information submitted by, or on behalf of, the applicant/consultant: [Benjamin Burdette, 04/14/2021](#)
This information is sufficient for purposes of this AJD.
Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)
- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial and Other: Appendix B, Photosheet 1-11](#)
- Corps site visit(s) conducted on: [Date\(s\).](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\).](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Figure No. 3, NRCS Soil Survey Data, IES Decatur County Solid Waste Facility](#)
- USFWS NWI maps: [Figure No. 4, National Wetland Inventory Data, IES Decatur County Solid Waste Facility](#)
- USGS topographic maps: [Figure No. 2, Topographic Images, IES Decatur County Solid Waste Facility](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
FEMA/FIRM maps	Figure No. 5, FEMA Floodzone Data, IES Decatur County Solid Waste Facility

B. Typical year assessment(s): [According to the Antecedent Precipitation Tool the site was under normal conditions at the time of the consultants site visit.](#)

C. Additional comments to support AJD: [The review area was impacted by surface mining activities in the 1980's and 1990's. All waters in the review area were created as a direct result of the reclamation of these activities.](#)